

July 15, 2004

To: Oregon State Board of Agriculture

**From: North Coast Basin Local Advisory Committee and Lisa Bucy, Northwest Region
Water Quality Planner**

Re: Biennial Review Report

I. Purpose

The North Coast Basin Local Advisory Committee (LAC) is submitting this report to the Board of Agriculture to summarize implementation of the North Coast Basin Agricultural Water Quality Management Area Plan and Rules, as required in Oregon Administrative Rule (OAR) 603-090-0020(4).

II. Introduction

Senate Bill 1010 requires the Oregon Department of Agriculture (ODA) to develop and implement an Area Plan and Rules wherever state or federal law requires such a Plan. The North Coast Basin Agricultural Water Quality Management Area consists of all agricultural and rural land, except for Federal lands in the North Coast Basin drainage.

In 2000, the LAC, working with ODA and the Tillamook County Soil and Water Conservation District (SWCD) completed the Area Plan and Rules. ODA then worked with the Tillamook County, Clatsop, Columbia, and West Multnomah SWCDs, the Natural Resources Conservation Service (NRCS), private landowners, and other partners to implement the Area Plan and Rules.

Since the adoption of the North Coast Agricultural Water Quality Management Area Plan and Rules, the Oregon Department of Environmental Quality (DEQ) has developed Total Maximum Daily Loads (TMDLs) covering the entire North Coast Basin. They are as follows:

- ❖ Tillamook Bay TMDLs for temperature and bacteria - adopted July 2001
- ❖ Nestucca Subbasin TMDLs for temperature, bacteria and sedimentation - adopted May 2002
- ❖ North Coast TMDLs for temperature and bacteria - adopted August 2003

Agriculture is required to provide reasonable assurance that it will meet its load allocations for these parameters.

In the North Coast Basin the following fish are currently listed as a threatened Species under the Federal Endangered Species Act.

Species	Oregon Coast	Lower Columbia River
Coho	Threatened	Candidate
Chum	-----	Threatened
Chinook	-----	Threatened
Steelhead	Candidate	Threatened

In 2003, as provided by OAR 603-090-0020, the LAC began meeting to conduct the first biennial review and update of their Area Plan and Rules. Management Area landowners, representing agricultural commodities (dairy, shellfish, beef, sheep, grazing, and forestry) served on the LAC. Other interests included small acreage farms, agribusiness, SWCDs, and environmental interests. The LAC reviewed the progress and effectiveness of the Plan and Rules in preventing and controlling water pollution from agricultural activities in the Management Area. Based on the evaluation, the LAC decided to make no changes to the Area Rules, with only minor changes to the Area Plan.

III. Implementing the Area Plan and Rules, Year 2000-Present

When developing the current Area Plan, the LAC identified several objectives that, if achieved, would significantly improve water quality in the North Coast Basin. The LAC then developed rules that were designed to prevent pollution as close to the source as possible and to meet agriculture's expected load allocations in the upcoming TMDLs.

The Area Rules required land managers in the Management Area to:

- Prevent cropland erosion above the Soil Loss Tolerance Factor (T);
- Design, construct and maintain private roads on rural land or roads used for agricultural activities to limit contributing sediment to waters of the state;
- Prevent runoff of manure, fertilizer, or other wastes from causing pollution in waterways;
- Construct, maintain and use drainage ditches without resulting in sediment delivery to waters of the state from excessive slope, unstable cross section or placement of disposed soil, or non-vegetated ditch banks;
- Allow for natural or managed growth of riparian vegetation along natural waterways to provide shade and bank stability;
- Maintain tide gates so they open and close as designed.

The LAC also developed implementation goals for the North Coast Basin. Table 1 summarizes these goals and the progress the North Coast SWCDs have made in achievement of each goal.

Table 1. Summary of Area Plan goals and progress of Area Plan implementation.

Goal	Progress
1. Create a high level of awareness of water quality issues and problems among agricultural operators and the rural public in the North Coast Basin.	<p>Since June 2000 the North Coast Basin SWCDs and other watershed groups have had the opportunity to give presentations to many landowners in the basin. The following are some highlights:</p> <ul style="list-style-type: none"> - 31 presentations/workshops to landowner including topics such as Agricultural Water Quality Management Area Plan and Rules, riparian vegetation, pasture management, invasive species management, mud and manure management, and conservation planning. - 10 articles and numerous press releases - 5 radio interviews on conservation issues - 3 reported tours to landowners and interested groups - dissemination of thousands of high quality fact sheets and informational brochures on best management practices at county fairs.
2. Promote land management that limits the movement of nutrients and bacteria from agricultural	<ul style="list-style-type: none"> • 65 Conservation plans have been developed since 2000. Plans are developed according to NRCS Field Office Technical Guide and conservation planning guidelines.

and rural lands to state waters.	<p>The following practices were completed by Soil and Water Conservation District, Watershed Councils, and Tillamook Estuaries Partnership:</p> <ul style="list-style-type: none"> - 26.14 miles of riparian fencing - 3.4 miles of riparian planting plus 191,618 trees planted in riparian areas plus 723 acres of riparian vegetation established (riparian vegetation was reported three ways) - 6.8 miles of waterline installed for off stream livestock watering - 22 nose pumps installed - 56 watering facilities some include spring and well development - 18 above ground storage tanks installed - 3 below ground storage tanks installed - 1 waste storage pond installed - 9 drystacks installed - 2 manure separators installed - 1 heavy use area protection installed - 2 roof runoff systems installed - 4 “fish friendly” culverts installed/replaced - 1 tidegate installed - 2 rocked fords installed - 1,000 acres of prescribed grazing <ul style="list-style-type: none"> • 1 formal complaint was received through the ODA Water Quality Program since 2000.
3. Promote land management that stabilizes streambanks.	
4. Promote land management that reduces sedimentation of streams due to soil erosion.	
5. Seek to control water pollution as close to its source as possible.	
6. Seek funding sources to implement the North Coast Basin Area Plan.	<ul style="list-style-type: none"> • The North Coast SWCDs and conservation partners have secured grant funding from ODA, OWEB*, DEQ**, and sources to support implementation of the North Coast Basin Area Plan through: <ul style="list-style-type: none"> - conservation plan development - Best Management Practice technical assistance, project design, and implementation - cost-share assistance - education and outreach • The USDA NRCS*** secured several sources of funding including: <ul style="list-style-type: none"> ○ Geographic Priority Area designation for the Tillamook Bay area under the Environmental Quality Incentive Program. This designation directs Federal Farm Bill funds to the Tillamook Bay area for environmental quality resource concerns. ○ PL566 Small Watershed funding for the Tillamook Bay area also for environmental quality resource concerns. <p>OWEB and USDA FSA**** provided Conservation Reserve Enhancement Program Funding to the North Coast Area. This funding is for riparian planting, fencing and rental payments.</p> <p>ODFW***** provided Restoration and Enhancement Funding to the Tillamook SWCD for the purchase of riparian planting equipment.</p>

<p>6. Seek funding sources to implement the North Coast Basin Area Plan continued.</p>	<ul style="list-style-type: none"> • Tillamook County Creamery • Senator Wyden Amendment funding for riparian enhancement. <ul style="list-style-type: none"> - The North Coast SWCDs and conservation partners continue to seek grant funding for outreach/education, technical assistance and implementation of Best Management Practices. <p>*OWEB = Oregon Watershed Enhancement Board **DEQ = Department of Environmental Quality *** USDA NRCS = United States Department of Agriculture Natural Resources Conservation Service **** USDA FSA = United States Department of Agriculture Farm Services Agency ***** ODFW = Oregon Department of Fish and Wildlife</p>
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Area Plan Review

The LAC was reconvened on November 24, 2003, to evaluate the Area Plan and Rules. Members of the original LAC were contacted and invited to participate. The following LAC members were able to participate: Dale Buck, Sean Dooher, Jeff Adams, Hugh Seppa, Kay C. VanNatta, Randy Bergman, Margaret Magruder, Charles Wooldridge, Shawn Reiersgaard, and Bruce McCalib. Two new members were appointed: John Faudskar from the shellfish industry and Dirk Rohne, a dairy operator from Clatsop County. A new alternate member was appointed: Mike Agalzoff, a small acreage farmer from Clatsop County.

The LAC heard an implementation progress report from Lisa Bucy, presenting information from the North Coast SWCDs and North Coast conservation partners. Information was given on outreach and education efforts, conservation plan development, conservation practice implementation, and water quality monitoring since the North Coast Plan was adopted.

Eric Nigg from DEQ gave a presentation on the new TMDL allocations adopted since the North Coast Ag. Water Quality Area Plan was adopted.

The new TMDLs are as follows:

- ❖ Tillamook Bay Watershed – adopted 7/31/01 – addresses temperature and bacteria
- ❖ Nestucca Bay Watershed – adopted 5/13/02 – addresses sedimentation
- ❖ North Coast Subbasin – adopted 8/20/03 – addresses temperature and bacteria

Based on the updates, the LAC decided to revise the Area Plan to reflect the new TMDLs, acknowledge that the prevention and control measures are meant to address the TMDL targets, add information regarding riparian plants, and provide general updates.

Area Rules Review

The LAC reviewed the effectiveness of the Area Rules in achieving applicable water quality standards and improving water quality in the North Coast Basin. The LAC, through updates from staff and agency personnel determined that progress was being made to address the North Coast Basin water quality issues. After discussion with Eric Nigg of DEQ, the LAC decided that the current rules were adequate to address all TMDL allocations. No changes were recommended to the Area Rules at this time.

IV. Conclusions

The North Coast Basin Area Plan and Rules have been effective in protecting and enhancing water quality. This has been, to a large extent, due to the competence and enthusiasm of Conservation Partners in the North Coast Basin. Their efforts have resulted in an increase in the number of producers and rural residents who have learned about the effects of land management decisions on water quality, existing rules to protect water quality, and the importance of land management to threatened and endangered species.